

**UNITED STATES DISTRICT COURT  
BOSTON, MASSACHUSETTS**

TIAX, LLC  
ANINDYA BORAL, and  
JAYATI BORAL  
Plaintiffs,

v.

TOM RIDGE, as Secretary of Department of  
Homeland Security;  
EDUARDO AGUIRRE, JR. as Director of United States  
Citizenship and Immigration Services (US CIS);  
SANDRA T. BUSHEY, Acting Director of  
Vermont Service Center of USCIS;  
DEPARTMENT OF HOMELAND SECURITY;  
and ALL UNKNOWN GOVERNMENT AGENCIES  
INVOLVED IN SECURITY CHECKS  
FOR H-1B APPLICANTS  
Defendants

MANDAMUS ACTION  
FILE NO. 04-12530 NG

MOTION FOR SPEEDY  
HEARING

**MOTION FOR SPEEDY HEARING**

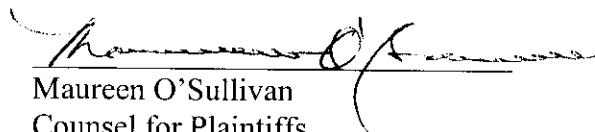
Now come the Plaintiffs through counsel to request a speedy hearing in connection with this mandamus action. In support of this request the Plaintiff's state as follows:

1. Plaintiff, Anindya Boral, was compelled to stop working on December 1, 2004, because the H-1B petition, which is the subject of this mandamus action, has not been adjudicated. This means that he is currently living in the U.S. without any income.
2. In addition, he has let his apartment go and is staying with a friend. His current address is: 58 Magnolia St., Arlington, MA 02474. On information and belief, he let his apartment go because he had to stop work and is not receiving any income.
3. On information and belief he also sold his car and all of the furniture in his apartment for the same reasons, because his H-1B petition is not approved and he has had to stop work.
4. His wife, Plaintiff, Jayati Boral, returned to India on Sunday December 5, 2004, and is staying with her parents. On information and belief, she returned to the India due to the insecurity of their immigration status and financial situation caused by her husbands loss of work.

5. Plaintiff, TIAX LLC, the employer is currently unable to employ Mr. Boral because this H-1B petition is still pending. This is causing damage to the business for the reasons described in the original complaint.
6. The Defendant's have received a copy of the summons and complaint for declaratory and mandamus relief. This is evidenced by the attached receipts.

WHEREFORE: Given the increasing hardship to the Plaintiffs, they request an immediate hearing on this action.

RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of December, 2004.

  
Maureen O'Sullivan  
Counsel for Plaintiffs  
Kaplan O' Sullivan & Friedman LLP  
10 Winthrop Square 3<sup>rd</sup> Fl  
Boston, MA 02110  
(617) 482-4500

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served counsel of record in the foregoing matter with one copy of the foregoing Motion for Speedy Hearing by postage prepaid/hand delivery a copy of same as follows:

Eduardo Aguirre, Director  
U.S. Citizenship and Immigration Services  
425 I Street, N.W.  
Washington, D.C. 20536

Tom Ridge, Secretary of Homeland Security  
U.S. Department of Homeland Security  
Nebraska Avenue Center, N.W.  
Washington, D.C. 20508

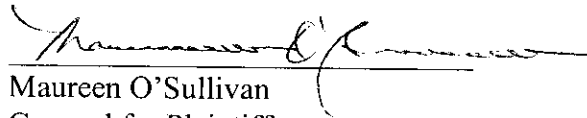
Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, D.C. 20258

Sandra T. Bushey, Interim Center Director  
PREMIUM PROCESSING UNIT  
USCIS  
Vermont Service Center  
30 Houghton Street  
St. Albans, VT 05478-2399

U.S. Attorneys Office (Hand Delivery) 12/15/04  
U.S. Courthouse, Suite 9200  
1 Courthouse Way  
Boston, MA 02110

Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

This 14~~th~~ day of December, 2004.

  
Maureen O'Sullivan  
Counsel for Plaintiffs  
Kaplan O' Sullivan & Friedman LLP  
10 Winthrop Square 3<sup>rd</sup> Fl  
Boston, MA 02110  
(617) 482-4500